

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Abdulkani Abdi Ali,

Civil 09-1389 JMR/FLN

Petitioner,

v.

O R D E R

State of Minnesota,

Respondent.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated December 17, 2009, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that the Petition for Writ of Habeas Corpus [#1] is DENIED.

IT IS FURTHER ORDERED that, pursuant to 28 U.S.C. §2253(c), that a Certificate of Appealability will not be issued because Petitioner has failed to make a substantial showing of the denial of any constitutional right.

DATED: January 8, 2010.
at Minneapolis, Minnesota

s/ Joan N. Ericksen
JUDGE JOAN N. ERICKSEN
United States District Court